

REMARKS

This application pertains to a novel redetachable device.

Claims 1, 5, 7-8, 10-13 and 18 are pending.

Claims 5 and 8 stand rejected under 35 U.S.C. 112, 2nd paragraph, for various reasons more specifically indicated in the Office Action. Each of the issues raised by the Examiner in this rejection are addressed as follows:

Claim 5 should, in the Examiner's view, use Markush language. Claim 5 has been amended in accordance with the Examiner's suggestion to be phrased using Markush language. Line 1 of claim 5 has also been amended in accordance with the Examiner's suggestion to properly characterize the "area" referenced as the "area of the surface."

Regarding claim 8, the Examiner states that in the previously presented claim, the "spacers" seemed to have no meaningful relationship to the remainder of the claim. Claim 8 has been amended to more clearly indicate the relationship of the spacers to the overall device. The spacers are also illustrated in Figs. 3 and 4 of Applicants' specification (elements 8A-8C), and are explained at page 8, 4th paragraph.

The foregoing amendments and remarks are believed to obviate the 35 U.S.C. 112, 2nd paragraph rejection, and this rejection should now be withdrawn.

Claims 1, 5, 7, 8, 10-13 and 18 stand rejected under 35 U.S.C. 102(b) as anticipated by or alternatively, under 35 USC 103(a) as obvious over Lühmann et al '747. The Examiner relies upon Lühmann et al '747 for a teaching of an adhesive strip that can be attached to a variety of planar, solid surfaces. The Examiner asserts that at least some of such surfaces would have characteristics that would inherently read upon or render obvious the ranges of roughness parameters claimed in the current application. However, in contrast to the present application, Lühmann et al '747 does not teach a surface to which an adhesive strip is attached that has regions of differing roughness and nothing in this reference would lead one skilled in the art to consider it obvious to produce a device with regions of differing roughness on the surface to which the adhesive strip is adhered. The present application describes a device where at least one region of the surface to which the adhesive strip is adhered is roughened (see last paragraph of page 5 of specification and figs. 2-4). Roughening of a specific region or regions of the surface implies that this region or regions will have different roughness than the region of the surface that is not roughened. Claim 1 has been amended to recite that the device of the current application comprises a surface with regions of different roughness.

Applicants' amended claims are neither anticipated nor suggested by Lühmann '747, and the rejection of claims 1, 5, 7, 8, 10-13 and 18 under 35 U.S.C. 102(b) as anticipated by or alternatively, under 35 USC 103(a) as obvious over Lühmann '747 should now be withdrawn.

In view of the present amendments and remarks it is believed that claims 1, 5, 7, 8, 10-13 and 18 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.


ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By


William C. Gerstenzang
Reg. No. 27,552

WCG:gkg
875 Third Avenue - 18th Floor
New York, New York 10022
(212) 808-0700

I hereby certify that this correspondence is being transmitted via facsimile no. 571-273-8300 to the United States Patent and Trademark Office, addressed to: Mail Amendment, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 4, 2005.

By


Zsuzsa Schuster

Date August 4, 2005